

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:11-CR-00147-F-1

UNITED STATES OF AMERICA)
)
 v.) O R D E R
)
 RONALD EUGENE BURRELL,)
 Defendant.)

This matter is before the court on Ronald Eugene Burrell's Motion for Termination of Supervised Release [DE-49]. In his motion, Burrell seeks early termination of his term of supervised release. *Id.* at 1.

This court has the authority, pursuant to 18 U.S.C. § 3583(e), to modify or terminate supervised release. 18 U.S.C. § 3583(e) provides, in pertinent part, as follows:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice;

(2) . . . modify, reduce, or enlarge the conditions of supervised release, at any time prior to the expiration or termination of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation and the provisions applicable to the initial setting of the terms and conditions of post-release supervision;

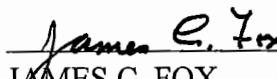
18 U.S.C. § 3583(e)(1)-(2).

As the basis for his motion, Burrell represents that he has to obtain permission to leave the District when he goes to Duke University Medical Center in Durham, North Carolina for

appointments, chemotherapy, and radiation. Def's Mot. [DE-49] at 1-2. The court has been advised by the U.S. Probation Office that Burrell has open permission to leave the District for his medical visits to Durham, North Carolina. Moreover, a review of the record reveals that Burrell has only served approximately one-third of his supervised release term. Given that Burrell has served only such a small portion of his term of supervised release, it does not appear appropriate to terminate his supervision at this time. For these reasons, Burrell's Motion for Termination of Supervised Release [DE-49] is DENIED.

SO ORDERED.

This, the 1 of November, 2016.



JAMES C. FOX
Senior United States District Judge